

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

RICHARD KEITH JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:15-cv-01036-TWP-DKL
)	
DR. KIANI M.D.,)	
KELLY COUNCELLER H.C.A.,)	
)	
Defendants.)	

Entry Discussing Complaint and Directing Further Proceedings

I. The Complaint

Plaintiff Richard Keith Johnson, an inmate at the Pendleton Correctional Facility, filed this civil action alleging that Dr. Kiani and the Health Care Administrator Kelly Counciller are deliberately indifferent to his serious medical needs. Mr. Johnson claims that on June 10, 2015, he was seen by Dr. Kiani for a back injury (resulting from an epileptic seizure) and chronic care visit. Mr. Johnson requested a back brace, medical lay in and x-rays all of which were denied. In addition, Dr. Kiani changed Mr. Johnson's anti-seizure medication from Tegritol to Dylantin even though Mr. Johnson told him that Dylantin increased his seizures. Instead Mr. Johnson wants Phenobarbital, but Dr. Kiani allegedly denied this request because of its high cost. As a result, Mr. Johnson has experienced pain and emotional distress.

Ms. Counciller has been sued because she allegedly has the authority to intervene in Dr. Kiani's treatment decisions but refuses to do so. Mr. Johnson believes this is in part in retaliation for the pending civil complaint he filed against her.

II. Further Proceedings

The Complaint has been screened as required by 28 U.S.C. § 1915A. The Complaint shall proceed as submitted.

The **clerk is designated**, pursuant to *Fed. R. Civ. P.* 4(c)(3), to issue and serve process on the defendants in the manner specified by *Fed. R. Civ. P.* 4(d)(1). Process shall consist of the complaint, applicable forms and this Entry.

IT IS SO ORDERED.

Date: 7/10/2015



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Dr. Kiani
Medical Director
4490 W. Reformatory Road
Pendleton, IN 46064

Kelly Counciller
Health Care Administrator
4490 W. Reformatory Road
Pendleton, IN 46064

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